

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/727,120 is being electronically transmitted to Technology Center 3763, via EFS-WEB, on July 9, 2008

/Kevin G. Rooney/
Kevin G. Rooney, Reg. No. 36,330

July 9, 2008
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen P. Moenning
Serial No.: 10/727,120
Filed: December 3, 2003
Examiner: Quynh-Nhu Hoang Vu
Group Art Unit: 3763
Confirmation No.: 4766
For: MINIMALLY INVASIVE MEDICAL APPARATUS FOR
DISPENSING A BIOLOGICALLY ACTIVE COMPOUND AND AN
ASSOCIATED MEDICAL PROCEDURE FOR DISPENSING A
BIOLOGICALLY ACTIVE COMPOUND
Atty. Docket No.: IPT-04B

Cincinnati, Ohio 45202

July 9, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

1. This is a petition for an extension of time to respond to the non-final Office Action mailed on January 9, 2008 for a period of three (3) months.
2. Applicant is
☒ a small entity
☐ other than a small entity
3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.
 - (a) X Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| <u>(months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|-----------------------|--|---------------------------------|
| _____ one month | \$ 120.00 | \$ 60.00 |
| _____ two months | \$ 460.00 | \$230.00 |
| <u>X</u> three months | \$1,050.00 | \$525.00 |
| _____ four months | \$1,640.00 | \$820.00 |
| _____ five months | \$2,230.00 | \$1,115.00 |

Fee \$525.00

_____ An extension for _____ month has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

4. Amendment
☒ is being filed herewith
☐ has been filed on []
5. Fee Payment
☒ **See electronic fee calculation sheet.**
6. ☐ Charge extension fee of \$_____ to Deposit Account No. 23-3000.
7. ☒ Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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